

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surrounding, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district.

Overview:

In June of 2004, construction began and concluded on a 264-square foot workshop (approx. 12 ft. x 22 ft.) at the private residence of Mr. & Mrs. Richard R. Becker, located at 885 Lakechime Drive, Sunnyvale CA. The workshop is located at the rear of the property as shown on the attached site plan, marked "Existing Workshop".

While the design, building materials, and method of construction are in accordance and compliance with all city building codes, and the 25 % building to yard ratio is well under allowable limits, the location of the structure/workshop fails to meet the cities minimum setback requirements.

Justification:

Although modifications to the size and/or location of structure are possible, including removal if necessary, to do so would present a tremendous hardship on the homeowners. The financial implications for modification and/or relocation are significant – moreover, to remove the entire structure would be very costly and represent a total loss on investment.

Prior to June 2004, there were (3) three separate standalone structures that stood on the property in addition to the main house. Although these structures were never permitted, they resided on the property for over 25 years without incident. A storage shed acquired by a donation to the church, measuring approx. 16 ft. x 24 ft. x 11 ft. high was located at the NW corner of the property. A 13 ft. x 14 ft. x 11ft. 6 in. high redwood gazebo was located near the center of the rear property and a secondary storage shed measuring approx. 10 ft. x 18 ft. x 9 ft. high was located at the NE corner of the property. All (3) three of these structures were dismantled and removed to facilitate construction of the new workshop. It should be additionally noted that many of the homes in Lakewood Village and surrounding area have similar structures as well. Furthermore,

that construction of the new workshop was done with the knowledge and support of Mr. & Mrs. Becker's immediate and surrounding neighbors as reflected by their signatures on the attached petition.

In January 2001, Mr. Becker was diagnosed with a serious life threatening illness. To date, he has undergone numerous medical procedures and treatments, thankfully, with positive results. The nature of his illness and the methods of treatment he received however, have left him with many challenges to overcome on the path to recovery. It is vital to Mr. Becker's recovery that he remain physically, as well as mentally active, to push himself to do more each and every day - a task made increasingly difficult now with limited mobility resulting from his illness and the treatment thereof.

Mr. Becker is a retired machinist. Over the years of his career he has acquired many tools and small machines of his trade. Many of which have been in storage, difficult to access at time when needed. The design, consolidation of structures, and construction of the new workshop were intended to facilitate and provided greater access to these tools and equipment for the purpose of supporting increased activities. The physical as well as mental activities relating to the design, and creation of small projects (tinkering if you will) fall within Mr. Becker scope of recovery, and improve general quality of life.

#### Summary:

Although it is difficult to convey all sentiment and relevant circumstance in such matters, we hope that we have provided sufficient information for the purposes of these proceeding in the support and granting of our variance permit application. We would hope to have the opportunity to provide any additional information that may be required and/or provide additional detail/clarification to afore mentioned, ongoing.

#### Summary – Key Points:

- Sunnyvale residence for over 40 years
- Retired, living on a fixed income
- Consolidation of (3) three pre-existing structures
- Similar structures throughout Lakewood Village and surrounding area
- Workshop professionally design and constructed
- Strong neighbor support and surrounding area - # of SIGNATURES
- Facilitation and promotion of increased activity – vital to recovery
- Improved overall quality of live

MACHINER OPERATED WITHIN SHOP - SOUND PROOFED  
LESS IMPACT

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements, or uses within the immediate vicinity and within the same zoning district.

The presence of the workshop represents no material detriment to public welfare or property.

3. Upon granting of the Variance the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

The intended use of the workshop could simply be described to be equivalent to that of one's own garage.